

Application No. 10/698,776

AMENDMENTS TO THE DRAWINGS:

Please find enclosed herewith 2 Replacement Sheets that include amended Figs. 1, 4, and 5.

REMARKS/ARGUMENTS

Applicant submits this Amendment and Response to respond to the Office Action dated March 29, 2005. Claims 1, 7, 8, and 10-14 have been amended and Claim 14 has been canceled without intending to abandon or to dedicate to the public any patentable subject matter. Accordingly, Claims 1-13 and 15-17 are now pending.

The drawings have been objected to because the Examiner asserts that they do not show each and every feature of the invention specified in the claims. Applicant has amended the figures as set forth above and has also withdrawn Claim 14. The Applicant has also taken care to ensure no new matter has been added. Accordingly, the Applicant believes that the figures now comply with 37 CFR 1.83, and withdrawal of the objections to the drawings is respectfully requested.

The Examiner further objected to various portions of the specification including the Summary, Detailed Description, and Abstract. Applicant has amended the specification to address the issues raised by the Examiner in the Office Action. Therefore, the reconsideration and withdrawal of the objections to the specification is respectfully requested.

Claims 1, 6, 10, 11, 13, and 16 stand rejected under 35 U.S.C. §102(b) as being anticipated by either U.S. Patent No. 5,106,156 to Marquis (hereinafter 'Marquis') or U.S. Patent No. 6,182,931 to Richard (hereinafter 'Richard'). In order for a rejection under 35 U.S.C. §102(b) to be proper, each and every element as set forth in a claim must be found, either expressly or inherently described, in a single prior art reference. *MPEP §2131*. However, Applicants respectfully traverse this rejection since all of the claim limitations set forth in the pending claims are not found in either Marquis or Richard. Accordingly, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

Claims 2-5, 7-9, 12, 14, 15, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over either Marquis or Richard alone or in view of at least one of U.S. Patent No. 5,690,036 to Hasegawa, U.S. Patent No. 5,878,672 to Ostermann et al., U.S. Patent No. 5,254,007 to Egan, and U.S. Patent No. 5,680,973 to Vulpitta et al.. In order to establish a prima facie case of obviousness under section 103, there must be some suggestion or motivation to modify the reference or to combine the reference teachings, there must be a reasonable expectation of success,

and the prior art reference or references must teach or suggest all of the claim limitations. *MPEP* §2143. However, none of the above references, alone or in combination, teach, suggest, or describe all of the claim limitations of the pending claims. Accordingly, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

Marquis is generally directed to a detachable foldable tray, that may be adapted for use with a child's safety seat. More specifically, the foldable tray 16 is made of two hingedly connected rigid parts that can be extended and locked together to be spread over the arm rests of the child's seat. (Marquis, col. 1, ll. 42-55). For the Marquis device to function properly, the tray must be made of rigid foldable parts that engage one another and deploy to rest securely over a child's seat. Marquis does not teach having a single compliant material that drapes of the child's seat. Furthermore, Marquis does not teach having a compliant surface that is adapted to receive a rigid material. Accordingly, for at least these reasons, the rejections of the claims, as amended, are neither anticipated by or obvious in light of Marquis.

Richard generally discloses a child's object support system. Specifically, Richard describes a system that suspended above the lap of a child. The device disclosed in Richard interconnects about a head rest or any other seat that is in front of the child's safety seat that also interconnects to the safety seat. (Richard, col. 2, ll. 26-44). In order for the system described in Richard to function properly, a front seat and a safety seat must be present, wherein the system is suspended by wrapping around both the front seat and the safety seat. Furthermore, the support system does not traverse the child's seat and does not engage either arm of the child's safety seat. As can be seen from Fig. 2 in Richard the support member has no way to engage or be connected to an arm of the child's safety seat as claimed. The support system of Richard also poses serious safety hazards to the child and other occupants of a vehicle because the support system is not confined to the general area of the safety seat. Because the system spans across the child's lap to another seat, a point of entry and exit into and out of the vehicle is parked. If an accident were to occur, passengers, including the child, would not be able to exit the vehicle without first disengaging the support system from at least the front seat. Additionally, the system as described in Richard does not teach, suggest, or describe having a tray with a surface made of a substantially compliant material that is adapted to receive a

substantially rigid material. Thus, the support system is substantially different from the present invention for many reasons, some of which are discussed above. Accordingly, for at least these reasons, the rejections of the amended claims as either anticipated by or obvious over Richard should be reconsidered and withdrawn.

More specifically, claim 1 has been amended to recites in part, “wherein said surface is made of a compliant material and is adapted to receive a substantially rigid material.” Support for the amendments to Claim 1 can be found in the specification, for example at page 11, ll. 14-21. Marquis does not teach, suggest, or describe having a surface made of a compliant material. Furthermore, none of the above listed reference either teach, suggest, or describe having a surface that is adapted to receive a substantially rigid panel. Therefore, for at least these reasons, Claim 1 and dependent Claims 2-9 are not anticipated by or obvious in view of Richard or any other above listed reference, and the rejections of Claims 1-9 should be reconsidered and withdrawn.

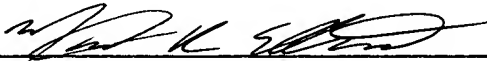
Claim 10 is generally directed to a tray adapted for selective interconnection to a child’s seat. As amended, Claim 10 recites in part, “a substantially compliant surface that is defined by a left edge, a right edge, an interior edge, and an exterior edge, wherein said surface is adapted to drape over the lap of a seated child.” Richard does not teach, suggest, or describe having a surface that is adapted to drape over the lap of a seated child. Furthermore, Richard does not teach, suggest, or describe having a left fastening means interconnected proximate to the left arm of the child’s seat and a right fastening means interconnected proximate to the right arm of the child’s seat. Additionally, Richard, nor any other above-listed references teach, suggest, or describe a substantially compliant surface that can selectively integrate a substantially rigid panel. Therefore, for at least these reasons, amended Claim 10 and dependent Claims 11-13 and 15-17 are not anticipated by or obvious in view of Richard or any other above-listed reference, and the rejections of Claims 10-13 and 15-17 should be reconsidered and withdrawn.

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The Applicant respectfully assert that the claims are now in condition for allowance and such disposition is requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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